

the LMDT to obtain water rights and under the condition that the Bureau would not spend its own funds to maintain or repair the Tunnel. In the early 1990s, however, litigation compelled the Bureau to take responsibility for the quality of the water discharged by the Tunnel. The Bureau constructed a water treatment plant, and Congress authorized the Bureau under P.L. 102-575 to treat the water discharged from the LMDT.

In 1995, however, a major collapse of a segment of the tunnel was detected. Since that time, mine water has pooled behind the blockage. Today the Environmental Protection Agency estimates that close to 1 billion gallons of water contaminated with toxic levels of cadmium, zinc, and manganese, has collected. The citizens of Leadville, Lake County, and the area downstream of the LMDT are deeply worried that the building pressure from this voluminous quantity of water will cause the blockage to burst and flood the town, resulting in a public health and environmental disaster. This winter's heavy snowfall has some concerned that spring snowmelt will further balloon the quantity of toxic water and exacerbate the risk. Under intense scrutiny, this week the EPA and the Bureau have partnered to begin pumping some of the water to the treatment plant and I appreciate their response. But these actions are only a small piece of the puzzle in making sure the LMDT never becomes a disaster.

In recent years the Federal Government's implementation of a long-term fix for the mine has been jammed up as badly as the mine tunnel itself. My bill focuses on making sure the long term solution for the LMDT moves forward as expeditiously as possible. My bill gives the Secretary of the Interior and the Bureau of Reclamation clear authority and responsibility to maintain the LMDT in a manner that protects human health and the environment. For many years the Bureau has maintained that it is not responsible for changed conditions within the LMDT. My bill eliminates any ambiguity on this point, and compels the Bureau to act.

Specifically, the legislation directs the Bureau to participate in the long-term remedy for the LMDT that has already been approved by the EPA, the Colorado Department of Public Health and Environment, and has been vetted through public meetings. The bill also authorizes the necessary funds for implementation of the long-term remedy. The long-term solution for the LMDT, specified under the fully approved and vetted EPA superfund Record of Decision, is much more extensive than the pumping and water treatment activity now underway. It will involve construction of a bulkhead in the tunnel to isolate the contaminated pool, backfilling the tunnel, as well as several other actions.

My bill also directs the Secretary of the Interior, in cooperation with the

State and the EPA, to conduct a study to determine whether any blockages in the LMDT have affected, or are affecting, water quality and aquatic life in the Arkansas River in the vicinity downstream of the LMDT. We must ensure that the problems with the LMDT blockage do not impact the water quality of the Arkansas River, which is the lifeblood of so many communities. This study will help improve our understanding of the conditions of the headwaters near the LMDT.

For too long the inaction on fixing the LMDT has been a case study in Federal paralysis, with the citizens of Leadville and Lake County caught in the middle. This legislation will establish the conditions and authority necessary to make the long-term fix at the Leadville Mine Drainage Tunnel a reality as soon as possible.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 463—CONGRATULATING VIVIAN STRINGER ON WINNING 800 GAMES IN WOMEN'S COLLEGE BASKETBALL

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 463

Whereas Vivian Stringer has coached women's college basketball for 36 seasons;

Whereas Vivian Stringer has coached the Rutgers University women's college basketball team for the past 13 seasons;

Whereas Vivian Stringer is the first coach in men's or women's college basketball to lead 3 different schools to the Final Four;

Whereas Vivian Stringer was inducted into the Women's Basketball Hall of Fame in 2001;

Whereas Vivian Stringer was named by Sports Illustrated as one of the 101 Most Influential Minorities in Sports in 2003;

Whereas Vivian Stringer was a recipient of the Black Coaches Association's Lifetime Achievement Award in 2004;

Whereas Vivian Stringer helped lead Team USA to a gold medal as an assistant coach for the United States Olympic women's basketball team in the 2004 Olympic Games in Athens, Greece;

Whereas Vivian Stringer was inducted into the New Jersey Sports Hall of Fame and the Sport in Society Hall of Fame in 2005;

Whereas Vivian Stringer has made significant contributions in advancing the popularity of and esteem for women's college basketball;

Whereas Vivian Stringer has been a role model for countless young women not only in the United States, but all over the world;

Whereas Vivian Stringer is only the third women's college basketball coach to win 800 games, joining only 5 men's coaches who reached the same milestone; and

Whereas Vivian Stringer broke the record for African-American coaches in either men's or women's college basketball by becoming the first to win 800 games: Now, therefore, be it

*Resolved*, That the Senate honors Vivian Stringer for the significant accomplishment of winning 800 games in women's college basketball and sends its sincere congratulations for this historic accomplishment.

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Senate Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 13, 2008, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building. The purpose of the hearing is to receive testimony regarding old-growth forest science, policy and management in the Pacific Northwest region.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to [rachel\\_pasternack@energy.senate.gov](mailto:rachel_pasternack@energy.senate.gov). For further information, please contact Rachel Pasternack at (202) 224-0883 or Kira Finkler at 202-224-5523.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 9:30 a.m., in open session, with a possibility of a closed session, to receive testimony on the Department of the Navy in review of the defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 28, 2008, at 10 a.m., in order to conduct a hearing entitled "Semi-annual Monetary Policy Report To Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building, in order to conduct a hearing. The purpose of this hearing is to review the President's proposed Department of Transportation budget for the 2009 fiscal year.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, February 28, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the impact of increased minimum wages on the economies of American Samoa and the Commonwealth of the Northern Mariana Islands.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled "The Real Estate Market: Building a Strong Economy."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 9:30 a.m. in order to hold a hearing on U.S. policy options in post-election Pakistan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct an executive business meeting on Thursday, February 28, 2008 at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

*Agenda*

I. Bills: S. 2304, Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007, (DOMENICI, KENNEDY, SPECTER, LEAHY); S. 2449, Sunshine in Litigation Act of 2007, (KOHL, LEAHY, GRAHAM); S. 352, Sunshine in the Courtroom Act of 2007, (GRASSLEY, SCHUMER, LEAHY, SPECTER, GRAHAM, FEINGOLD, CORNYN, DURBIN); S. 2136, Helping Families Save Their Homes in Bankruptcy Act of 2007, (DURBIN, SCHUMER, WHITEHOUSE, BIDEN, FEINSTEIN); and S. 2133, Home Owners "Mortgage and Equity Savings Act", (SPECTER, COLEMAN).

II. Nominations: Kevin J. O'Connor to be Associate Attorney General, Department of Justice; Gregory G. Katsas to be Assistant Attorney General, Civil Division, Department of Justice.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT ECONOMIC COMMITTEE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "War at any cost? The total economic costs of the war beyond the Federal budget" on Thursday, February 28, 2008. The hearing will commence at 9:30 a.m. in room 106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 28, 2008, at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR  
SAFETY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Clean Air and Nuclear Safety, be authorized to meet during the session of the Senate on Thursday, February 28, 2008, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, "Nuclear Regulatory Commission Oversight: Security of Our Nation's Nuclear Plants."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY,  
AND HOMELAND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Terrorism, Technology and Homeland Security, be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "Weaknesses in the Visa Waiver Program: Are the Needed Safeguards in Place to Protect America?" on Thursday, February 28, 2008, at 2:30 p.m. in room SD-226 of the Dirksen Senate Office Building.

*Witness list*

Paul Rosenzweig, Deputy Assistant Secretary, Office of Policy, U.S. Department of Homeland Security, Washington, DC; Tony Edson, Deputy Assistant Secretary for Visa Services, U.S. Department of State, Washington, DC; Jess Ford, Director, International Affairs and Trade, Government Accountability Office, Washington, DC; Susan Ginsburg, Director of Programs on Mobility and Security, Migration Policy Institute, Washington, DC; and Jessica Vaughan, Senior Policy Analyst, Center for Immigration Studies, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the

Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, February 28, 2008, at 2 p.m., in room SD-366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the following legislation:

S. 177/H.R. 2085, to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes;

S. 1473/H.R. 1855, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project;

S. 1474/H.R. 1139, to authorize the Secretary of the Interior to plan, design and construct facilities to provide water for irrigation, municipal, domestic, and other uses from the Bunker Hill Groundwater Basin, Santa Ana River, California, and for other purposes;

S. 1929, to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed;

S. 2370, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes;

H.R. 2381, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. THUNE. Madam President, I ask unanimous consent that a member of my staff, Jon Abdnor, be granted the privileges of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANDEAN TRADE PREFERENCE  
EXTENSION ACT

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5264, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5264) to extend the Andean Trade Preference Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Mr. President, today, the Senate takes the important step of extending the Andean Trade Preferences Act for 10 months. This follows